

REQUEST NO. 109: Documents listing each and every request made within the last six years by a home audio device manufacturer for proposals from FMA to develop, manufacture, distribute, or otherwise produce an FMA dynamic memory chip.

RESPONSE TO REQUEST NO. 109: In addition to its General Objections, FMA objects to the request on the following grounds: (a) it seeks information that is neither relevant to this action nor reasonably calculated to lead to the discovery of admissible evidence; (b) it seeks proprietary and/or confidential information not reasonably calculated to lead to the discovery of admissible evidence; (c) it is overbroad and unduly burdensome such as calling for the production of documents “listing each and every request”; (d) it is vague and ambiguous, in particular as to the identities of “home audio device manufacturer[s]” and the meaning of what constitutes a “request... for proposal[]”; and (e) it calls for information not within the possession or control of FMA.

13 **REQUEST NO. 110:** Documents listing each and every proposal made within the last six years
14 by FMA to develop, manufacture, distribute, or otherwise produce an FMA dynamic memory
chip for a home audio device manufacturer.

RESPONSE TO REQUEST NO. 110: In addition to its General Objections, FMA objects to the request on the following grounds: (a) it seeks information that is neither relevant to this action nor reasonably calculated to lead to the discovery of admissible evidence; (b) it seeks proprietary and/or confidential information not reasonably calculated to lead to the discovery of admissible evidence; (c) it is overbroad and unduly burdensome such as calling for the production documents “listing each and every proposal”; and (d) it is vague and ambiguous, in particular as to the identities of “home audio device manufacturer[s]”.

1 **REQUEST NO. 111:** Documents listing each and every graphic display device manufacturer that
2 has purchased an FMA dynamic memory chip for use or incorporation in one of its products
2 within the last six years.

3 **RESPONSE TO REQUEST NO. 111:** In addition to its General Objections, FMA objects to
4 the request on the following grounds: (a) it seeks information that is neither relevant to this action
5 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it is overbroad and
6 unduly burdensome such as calling for the production of documents listing “each and every
7 graphic display device manufacturer”; (c) it is vague and ambiguous, in particular as to the
8 identities of “graphic display device manufacturer[s]” and their “products”; and (d) it calls for
9 information not within the possession or control of FMA.

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11 **REQUEST NO. 112:** Documents listing each and every graphic display device that has used or
incorporated an FMA dynamic memory chip within the last six years.

12 **RESPONSE TO REQUEST NO. 112:** In addition to its General Objections, FMA objects to
13 the request on the following grounds: (a) it seeks information that is neither relevant to this action
14 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it is overbroad and
15 unduly burdensome such as calling for the production of documents “listing each and every
16 graphic display device”; (c) it is vague and ambiguous, in particular as to what constitutes a
17 “graphic display device” and what constitutes “used or incorporated”; (d) it seeks information
18 equally available to Plaintiffs; and (e) it calls for information not within the possession or control
19 of FMA.

1 **REQUEST NO. 113:** Documents listing each and every contract entered into within the last six
2 years between FMA and a graphic display device manufacturer involving an FMA dynamic
3 memory chip.

4 **RESPONSE TO REQUEST NO. 113:** In addition to its General Objections, FMA objects to
5 the request on the following grounds: (a) it seeks information that is neither relevant to this action
6 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it seeks confidential
7 and/or proprietary information not reasonably calculated to lead to the discovery of admissible
8 evidence; (c) it is overbroad and unduly burdensome such as calling for the production of
9 documents “listing each and every contract”; and (d) it is vague and ambiguous, in particular as to
10 the meaning of what constitutes a “contract” and the identities of “graphic display device
11 manufacturer[s]”.

12 **REQUEST NO. 114:** Documents listing each and every request made within the last six years by
13 a graphic display device manufacturer for proposals from FMA to develop, manufacture,
14 distribute, or otherwise produce an FMA dynamic memory chip.

15 **RESPONSE TO REQUEST NO. 114:** In addition to its General Objections, FMA objects to
16 the request on the following grounds: (a) it seeks information that is neither relevant to this action
17 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it seeks proprietary
18 and/or confidential information not reasonably calculated to lead to the discovery of admissible
19 evidence; (c) it is overbroad and unduly burdensome such as calling for the production of
20 documents “listing each and every request”; (d) it is vague and ambiguous, in particular as to the
21 identities of “graphic display device manufacturer[s]” and the meaning of what constitutes a
22 “request... for proposal[]”; and (e) it calls for information not within the possession or control of
23 FMA.

1 **REQUEST NO. 115:** Documents listing each and every proposal made within the last six years
2 by FMA to develop, manufacture, distribute, or otherwise produce an FMA dynamic memory
3 chip for a graphic display device manufacturer.

4 **RESPONSE TO REQUEST NO. 115:** In addition to its General Objections, FMA objects to
5 the request on the following grounds: (a) it seeks information that is neither relevant to this action
6 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it seeks proprietary
7 and/or confidential information not reasonably calculated to lead to the discovery of admissible
8 evidence; (c) it is overbroad and unduly burdensome such as calling for the production documents
9 “listing each and every proposal”; and (d) it is vague and ambiguous, in particular as to the
10 identities of “graphic display device manufacturer[s]” and the meaning of what constitutes a
11 “proposal”.

12 **REQUEST NO. 116:** Documents listing each and every consumer electronics manufacturer that
13 has purchased an FMA dynamic memory chip for use or incorporation in one of its products
14 within the last six years.

15 **RESPONSE TO REQUEST NO. 116:** In addition to its General Objections, FMA objects to
16 the request on the following grounds: (a) it seeks information that is neither relevant to this action
17 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it is overbroad and
18 unduly burdensome such as calling for the production of documents listing “each and every
19 consumer electronics manufacturer”; (c) it is vague and ambiguous, in particular as to the
20 identities of “consumer electronics manufacturer[s]” and their “products”; and (d) it calls for
21 information not within the possession or control of FMA. .

REQUEST NO. 117: Documents listing each and every consumer electronic item that has used or incorporated an FMA dynamic memory chip within the last six years.

RESPONSE TO REQUEST NO. 117: In addition to its General Objections, FMA objects to the request on the following grounds: (a) it seeks information that is neither relevant to this action nor reasonably calculated to lead to the discovery of admissible evidence; (b) it is overbroad and unduly burdensome such as calling for the production of documents “listing each and every consumer electronic item”; (c) it is vague and ambiguous, in particular as to what constitutes “used or incorporated” and what constitutes a “consumer electronic item”; (d) it seeks information equally available to Plaintiffs; and (e) it calls for information not within the possession or control of FMA.

REQUEST NO. 118: Documents listing each and every contract entered into within the last six years between FMA and a consumer electronics manufacturer involving an FMA dynamic memory chip.

RESPONSE TO REQUEST NO. 118: In addition to its General Objections, FMA objects to the request on the following grounds: (a) it seeks information that is neither relevant to this action nor reasonably calculated to lead to the discovery of admissible evidence; (b) it seeks confidential and/or proprietary information not reasonably calculated to lead to the discovery of admissible evidence; (c) it is overbroad and unduly burdensome such as calling for the production of documents “listing each and every contract”; and (d) it is vague and ambiguous, in particular as to the meaning of what constitutes a “contract” and the identities of “consumer electronics manufacturer[s]”.

REQUEST NO. 119: Documents listing each and every request made within the last six years by a consumer electronics manufacturer for proposals from FMA to develop, manufacture, distribute, or otherwise produce an FMA dynamic memory chip.

RESPONSE TO REQUEST NO. 119: In addition to its General Objections, FMA objects to the request on the following grounds: (a) it seeks information that is neither relevant to this action nor reasonably calculated to lead to the discovery of admissible evidence; (b) it seeks proprietary and/or confidential information not reasonably calculated to lead to the discovery of admissible evidence; (c) it is overbroad and unduly burdensome such as calling for the production of documents “listing each and every request”; (d) it is vague and ambiguous, in particular as to the identities of “consumer electronics manufacturer[s]” and the meaning of what constitutes a “request... for proposal[]”; and (e) it calls for information not within the possession or control of FMA.

13 **REQUEST NO. 120:** Documents listing each and every proposal made within the last six years
14 by FMA to develop, manufacture, distribute, or otherwise produce an FMA dynamic memory
chip for a consumer electronics manufacturer.

15 **RESPONSE TO REQUEST NO. 120:** In addition to its General Objections, FMA objects to
16 the request on the following grounds: (a) it seeks information that is neither relevant to this action
17 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it seeks proprietary
18 and/or confidential information not reasonably calculated to lead to the discovery of admissible
19 evidence; (c) it is overbroad and unduly burdensome such as calling for the production documents
20 “listing each and every proposal”; and (d) it is vague and ambiguous, in particular as to the
21 identities of “consumer electronics manufacturer[s]”.

REQUEST NO. 121: Documents listing each and every contract entered into within the last six years between FMA and a government entity or government subcontractor, including military entities, involving an FMA dynamic memory chip.

RESPONSE TO REQUEST NO. 121: In addition to its General Objections, FMA objects to the request on the following grounds: (a) it seeks information that is neither relevant to this action nor reasonably calculated to lead to the discovery of admissible evidence; (b) it seeks confidential and/or proprietary information not reasonably calculated to lead to the discovery of admissible evidence; (c) it is overbroad and unduly burdensome such as calling for the production of documents “listing each and every contract”; and (d) it is vague and ambiguous, in particular as to the meaning of what constitutes a “contract” and the identities of “government entit[ies] or government subcontractor[s]”.

REQUEST NO. 122: Documents listing each and every request made within the last six years by a government entity or government subcontractor, including military entities, for proposals from FMA to develop, manufacture, distribute, or otherwise produce an FMA dynamic memory chip.

RESPONSE TO REQUEST NO. 122: In addition to its General Objections, FMA objects to the request on the following grounds: (a) it seeks information that is neither relevant to this action nor reasonably calculated to lead to the discovery of admissible evidence; (b) it seeks proprietary and/or confidential information not reasonably calculated to lead to the discovery of admissible evidence; (c) it is overbroad and unduly burdensome such as calling for the production of documents “listing each and every request”; (d) it is vague and ambiguous, in particular as to the identities of “government entit[ies] or government subcontractor[s]” and the meaning of what constitutes a “request... for proposal[]”; and (e) it calls for information not within the possession or control of FMA.

1 **REQUEST NO. 123:** Documents listing each and every proposal made within the last six years
2 by government entity or government subcontractor, including military entities, to develop,
3 manufacture, distribute, or otherwise produce an FMA dynamic memory chip for a government
4 entity or government subcontractor, including military entities.

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RESPONSE TO REQUEST NO. 123: In addition to its General Objections, FMA objects to
the request on the following grounds: (a) it seeks information that is neither relevant to this action
nor reasonably calculated to lead to the discovery of admissible evidence; (b) it seeks proprietary
and/or confidential information not reasonably calculated to lead to the discovery of admissible
evidence; (c) it is overbroad and unduly burdensome such as calling for the production documents
“listing each and every proposal”; and (d) it is vague and ambiguous, in particular as to the
identities of “government entit[ies] or government subcontractor[s]” and the meaning of what
constitutes a “proposal”.

REQUEST NO. 124: Documents listing each and every manufacturer that has purchased-an
FMA dynamic memory chip for use or incorporation in one of its products within the last six
years.

RESPONSE TO REQUEST NO. 124: In addition to its General Objections, FMA objects to
the request on the following grounds: (a) it seeks information that is neither relevant to this action
nor reasonably calculated to lead to the discovery of admissible evidence; (b) it seeks proprietary
and/or confidential information not reasonably calculated to lead to the discovery of admissible
evidence; (c) it is overbroad and unduly burdensome such as calling for the production of
documents “listing each and every manufacturer that has purchased[a] FMA dynamic memory
chip”; and (e) it is vague and ambiguous, in particular as to the identities these manufacturers and
their “products”.

REQUEST NO. 125: Documents listing each and every product that has used or incorporated an FMA dynamic memory chip within the last six years.

RESPONSE TO REQUEST NO. 125: In addition to its General Objections, FMA objects to the request on the following grounds: (a) it seeks information that is neither relevant to this action nor reasonably calculated to lead to the discovery of admissible evidence; (b) it seeks information equally available to Plaintiffs; (c) it seeks proprietary information not reasonably calculated to lead to the discovery of admissible evidence; (d) it is overbroad and unduly burdensome, such as calling for the production of documents listing “each and every product” that has used or incorporated a FMA dynamic memory chip; (e) it is vague and ambiguous, in particular as to the term “products”; and (f) it calls for information not within the possession or control of FMA.

REQUEST NO. 126: Documents listing each and every contract entered into within the last six years between FMA and a manufacturer involving an FMA dynamic memory chip.

RESPONSE TO REQUEST NO. 126: In addition to its General Objections, FMA objects to the request on the following grounds: (a) it seeks information that is neither relevant to this action nor reasonably calculated to lead to the discovery of admissible evidence; (b) it seeks information protected by the attorney-client privilege and the work-product doctrine; (c) it seeks proprietary and/or confidential information not reasonably calculated to lead to the discovery of admissible evidence; (d) it is overbroad and unduly burdensome such as calling for the production of documents listing “each and every contract”; and (e) it is vague and ambiguous, in particular as to the meaning of what constitutes a “contract”.

REQUEST NO. 127: Documents listing each and every request made within the last six years by a manufacturer for proposals from FMA to develop, manufacture, distribute, or otherwise produce an FMA dynamic memory chip.

RESPONSE TO REQUEST NO. 127: In addition to its General Objections, FMA objects to the request on the following grounds: (a) it seeks information that is neither relevant to this action nor reasonably calculated to lead to the discovery of admissible evidence; (b) it seeks proprietary and/or confidential information not reasonably calculated to lead to the discovery of admissible evidence; (c) it is overbroad and unduly burdensome such as calling for the production of documents “listing each and every request”; (d) it is vague and ambiguous, in particular as to the identities of “manufacturer[s]” and the meaning of what constitutes a “request... for proposal[]”; and (e) it calls for information not within the possession or control of FMA.

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12 **REQUEST NO. 128:** Documents listing each and every proposal made within the last six years
13 by FMA to develop, manufacture, distribute, or otherwise produce an FMA dynamic memory
chip for a manufacturer.

14 **RESPONSE TO REQUEST NO. 128:** In addition to its General Objections, FMA objects to
15 the request on the following grounds: (a) it seeks information that is neither relevant to this action
16 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it seeks proprietary
17 and/or confidential information not reasonably calculated to lead to the discovery of admissible
18 evidence; (c) it is overbroad and unduly burdensome such as calling for the production documents
19 “listing each and every proposal”; and (d) it is vague and ambiguous, in particular as to the
20 identities of “manufacturer[s]” and the meaning of what constitutes a “proposal”.

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REQUEST NO. 129: All documents reflecting FMA's retention of any person as an employee, agent, or in any other capacity in Guam during the past five (5) years.

RESPONSE TO REQUEST NO. 129: In addition to its General Objections, FMA objects to the request on the following grounds: (a) it seeks information that is neither relevant to this action nor reasonably calculated to lead to the discovery of admissible evidence; (b) it seeks proprietary and/or confidential information not reasonably calculated to lead to the discovery of admissible evidence; (c) it is overbroad and unduly burdensome such as calling for the production of all documents reflecting FMA's retention of any person; and (d) it is vague and ambiguous, in particular as to the meaning of "any other capacity".

REQUEST NO. 130: All documents reflecting FMA's entry into any contract for the purchase or sale of merchandise within Guam during the past five (5) years.

RESPONSE TO REQUEST NO. 130: In addition to its General Objections, FMA objects to the request on the following grounds: (a) it seeks information that is neither relevant to this action nor reasonably calculated to lead to the discovery of admissible evidence; (b) it is overbroad and unduly burdensome such as calling for the production of all documents reflecting FMA's entry into any contract; (c) it is vague and ambiguous, in particular as to the meaning of the terms "merchandise" and "contract"; and (d) it calls for information not within the possession or control of FMA.

REQUEST NO. 131: All documents reflecting performance of the contracts in the above Request for Production.

RESPONSE TO REQUEST NO. 131: In addition to its General Objections, FMA objects to the request on the following grounds: (a) it seeks information that is neither relevant to this action

1 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it seeks proprietary
2 and/or confidential information not reasonably calculated to lead to the discovery of admissible
3 evidence; (c) it is overbroad and unduly burdensome such as calling for the production of all
4 documents reflecting performance of contracts; (d) it is vague and ambiguous; and (e) it calls for
5 information not within the possession or control of FMA.

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7 **REQUEST NO. 132:** All documents reflecting FMA's interest during the past five (5) years in
any corporation that was qualified to do business or which had an office in Guam.

8 **RESPONSE TO REQUEST NO. 132:** In addition to its General Objections, FMA objects to
9 the request on the following grounds: (a) it seeks information that is neither relevant to this action
10 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it seeks information
11 protected by the attorney-client privilege and the work-product doctrine; (c) it seeks proprietary
12 and/or confidential information not reasonably calculated to lead to the discovery of admissible
13 evidence; (d) it is overbroad and unduly burdensome such as calling for the production of “[a]ll
14 documents reflecting FMA's interest”; (e) it seeks information equally available to Plaintiffs; and
15 (f) it is vague and ambiguous, in particular as to the meaning of the term “interest”.

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17 **REQUEST NO. 133:** All documents reflecting FMA's employment during the past five (5) years
18 of individuals, whether resident or not, living or working in Guam.

19 **RESPONSE TO REQUEST NO. 133:** In addition to its General Objections, FMA objects to
20 the request on the following grounds: (a) it seeks information that is neither relevant to this action
21 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it seeks proprietary
22 and/or confidential information not reasonably calculated to lead to the discovery of admissible

1 evidence; (c) it is overbroad and unduly burdensome such as calling for the production of all
2 documents reflecting FMA's employment of individuals living or working in Guam; and (d) it is
3 vague and ambiguous, in particular as to the meaning of "living or working in Guam".
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5 **REQUEST NO. 134:** All documents reflecting FMA's employment during the past five (5) years
6 of any sales agents or representatives of any kind who lived, worked or solicited business in
Guam.

7 **RESPONSE TO REQUEST NO. 134:** In addition to its General Objections, FMA objects to
8 the request on the following grounds: (a) it seeks information that is neither relevant to this action
9 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it seeks proprietary
10 and/or confidential information not reasonably calculated to lead to the discovery of admissible
11 evidence; (c) it is overbroad and unduly burdensome such as calling for the production of all
12 documents reflecting FMA's employment of any sales agents of any kind; and (d) it is vague and
13 ambiguous, in particular as to the meaning of "lived, worked or solicited business in Guam".
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15 **REQUEST NO. 135:** All documents reflecting FMA's distributors, suppliers, partners or
customers having offices in Guam during the past five (5) years.
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17 **RESPONSE TO REQUEST NO. 135:** In addition to its General Objections, FMA objects to
the request on the following grounds: (a) it seeks information that is neither relevant to this action
18 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it seeks proprietary
19 and/or information not reasonably calculated to lead to the discovery of admissible evidence; (c)
20 it is overbroad and unduly burdensome; (d) it is vague and ambiguous; and (e) it calls for
21 information not within the possession or control of FMA.
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1 **REQUEST NO. 136:** All documents reflecting FMA's maintenance during the past five (5) years
2 of a telephone listing, or listed or used a post office box, or other mailing address in Guam.

3 **RESPONSE TO REQUEST NO. 136:** In addition to its General Objections, FMA objects to
4 the request on the following grounds: (a) it seeks information that is neither relevant to this action
5 nor reasonably calculated to lead to the discovery of admissible evidence; and (b) it seeks
6 information equally available to Plaintiffs.

7 **REQUEST NO. 137:** All documents reflecting FMA's representation by attorneys, for any
8 purposes, who are admitted to practice in Guam.

9 **RESPONSE TO REQUEST NO. 137:** In addition to its General Objections, FMA objects to
10 the request on the following grounds: (a) it seeks information that is neither relevant to this action
11 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it seeks information
12 protected by the attorney-client privilege and the work-product doctrine; (c) it seeks proprietary
13 and/or confidential information not reasonably calculated to lead to the discovery of admissible
14 evidence; (d) it is overbroad and unduly burdensome; (e) it is vague and ambiguous; and (f) it
15 calls for information not within the possession or control of FMA.

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17 **REQUEST NO. 138:** All documents reflecting FMA's rental, ownership, operation, or holding of
18 any interest whatsoever (including by lease) of any personal property in Guam.

19 **RESPONSE TO REQUEST NO. 138:** In addition to its General Objections, FMA objects to
20 the request on the following grounds: (a) it seeks information that is neither relevant to this action
21 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it seeks proprietary
22 and/or confidential information not reasonably calculated to lead to the discovery of admissible
23 evidence; (c) it is overbroad and unduly burdensome such as calling for the production of all

1 documents reflecting any interest whatsoever of any personal property; and (e) it is vague and
2 ambiguous, in particular as to the meaning of "personal property".
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4 **REQUEST NO. 139:** All documents reflecting FMA's contracts for the sale of goods or services
5 during the last five (5) years to any person or business entity located or having an office in Guam.
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7 **RESPONSE TO REQUEST NO. 139:** In addition to its General Objections, FMA objects to
8 the request on the following grounds: (a) it seeks information that is neither relevant to this action
9 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it seeks proprietary
10 and/or confidential information not reasonably calculated to lead to the discovery of admissible
11 evidence; (c) it is overbroad and unduly burdensome such as calling for the production of all
12 documents reflecting contracts for the sale of goods or services; (d) it is vague and ambiguous;
13 and (e) it calls for information not within the possession or control of FMA.
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15 **REQUEST NO. 140:** All documents reflecting FMA's direct or indirect shipment of any goods
16 or products or any goods or products incorporating FMA's dynamic memory chip into or through
17 Guam during the last five (5) years.
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19 **RESPONSE TO REQUEST NO. 140:** In addition to its General Objections, FMA objects to
20 the request on the following grounds: (a) it seeks information that is neither relevant to this action
21 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it seeks proprietary
22 and/or confidential information not reasonably calculated to lead to the discovery of admissible
23 evidence; (c) it is overbroad and unduly burdensome such as calling for all documents reflecting
24 FMA's direct or indirect shipment of any goods or products; (d) it is vague and ambiguous, in
25 particular as to the meaning of "indirect shipment" and "incorporating"; and (e) it calls for
26 information not within the possession or control of FMA.

1 **REQUEST NO. 141:** All documents reflecting the authorization of FMA, or FMA's affiliates or
2 subsidiaries, to transact business within Guam within the past ten (10) years.

3 **RESPONSE TO REQUEST NO. 141:** In addition to its General Objections, FMA objects to
4 the request on the following grounds: (a) it seeks information that is neither relevant to this action
5 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it is overbroad and
6 unduly burdensome such as calling for the production of all documents reflecting authorization;
7 and (c) it is vague and ambiguous, in particular as to the identities of "FMA's affiliates or
8 subsidiaries".

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10 **REQUEST NO. 142:** All documents reflecting contracts between FMA and customers or FMA
11 and partners in Guam.

12 **RESPONSE TO REQUEST NO. 142:** In addition to its General Objections, FMA objects to
13 the request on the following grounds: (a) it seeks information that is neither relevant to this action
14 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it seeks proprietary
15 and/or confidential information not reasonably calculated to lead to the discovery of admissible
16 evidence; (c) it is overbroad and unduly burdensome such as calling for the production of all
17 documents reflecting contracts between FMA and customers or partners; (d) it is vague and
18 ambiguous, in particular as to the meaning of the terms "contract" and "partners"; and (e) it calls
19 for information not within the possession or control of FMA.

1 **REQUEST NO. 143:** All documents reflecting each and every contact between FMA or FMA's
2 affiliates or subsidiaries, or FMA's representative with residents of Guam within the last ten (10)
3 years to the present, including, but not limited to, direct contact, such as telephone contact or
correspondence, as well as advertisements of any sort.

4 **RESPONSE TO REQUEST NO. 143:** In addition to its General Objections, FMA objects to
5 the request on the following grounds: (a) it seeks information that is neither relevant to this action
6 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it seeks proprietary
7 information not reasonably calculated to lead to the discovery of admissible evidence; (c) it is
8 overbroad and unduly burdensome such as calling for the production of all documents reflecting
9 "each and every contact"; (e) it is vague and ambiguous, in particular as to the meaning of
10 "contact" and the identities of "FMA's affiliates or subsidiaries, or FMA's representative"; and
11 (f) it calls for information not within the possession or control of FMA.

12 **REQUEST NO. 144:** All documents reflecting attempts by FMA or FMA's affiliates or
13 subsidiaries to solicit any business in Guam during the past ten (10) years.

14 **RESPONSE TO REQUEST NO. 144:** In addition to its General Objections, FMA objects to
15 the request on the following grounds: (a) it seeks information that is neither relevant to this action
16 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it seeks proprietary
17 and/or confidential information not reasonably calculated to lead to the discovery of admissible
18 evidence; (c) it is overbroad and unduly burdensome such as requesting all documents reflecting
19 attempts to solicit any business; and (d) it is vague and ambiguous, in particular as to what
20 defines an attempt to solicit any business.

1 **REQUEST NO. 145:** All documents reflecting attempts by FMA or FMA's affiliates or
2 subsidiaries to solicit any individual in Guam during the past ten (10) years.

3 **RESPONSE TO REQUEST NO. 145:** In addition to its General Objections, FMA objects to
4 the request on the following grounds: (a) it seeks information that is neither relevant to this action
5 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it seeks proprietary
6 information not reasonably calculated to lead to the discovery of admissible evidence; (c) it is
7 overbroad and unduly burdensome such as requesting all documents reflecting attempts to solicit
8 any individual; and (d) it is vague and ambiguous, in particular as to what defines an attempt to
9 solicit any individual.

10 **REQUEST NO. 146:** All documents reflecting the total number of sales and gross annual amount
11 of the sales, all direct sales made by FMA or FMA's affiliates or subsidiaries to customers in
12 Guam or customers with operations in Guam for each of the last ten (10) years.

13 **RESPONSE TO REQUEST NO. 146:** In addition to its General Objections, FMA objects to
14 the request on the following grounds: (a) it seeks information that is neither relevant to this action
15 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it is overbroad and
16 unduly burdensome such as calling for the production of all documents reflecting total sales to
17 customers in Guam or with operations in Guam; (c) it is vague and ambiguous, in particular as to
18 the identities of FMA's affiliates or subsidiaries; and (d) it calls for information not within the
19 possession or control of FMA.

1 **REQUEST NO. 147:** All documents reflecting shipment of any merchandise into Guam on
2 consignment by FMA or FMA's affiliates or subsidiaries during the past ten (10) years.

3 **RESPONSE TO REQUEST NO. 147:** In addition to its General Objections, FMA objects to
4 the request on the following grounds: (a) it seeks information that is neither relevant to this action
5 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it seeks proprietary
6 and/or confidential information not reasonably calculated to lead to the discovery of admissible
7 evidence; (c) it is vague and ambiguous; and (d) it calls for information not within the possession
8 or control of FMA.

9 Dated: Jan. 18, 2007

10 By:



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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was served on the following counsel of record via first class mail on January 16, 2007:

Joseph C. Razzano, Esq.
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MICHAEL M. MURRAY

EXHIBIT B

**SHORECHAN
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January 8, 2007

VIA EMAIL-PDF FORMAT AND FEDERAL EXPRESS

Christopher E. Chalsen, Esq.
Milbank Tweed Hadley & McCloy LLP
1 Chase Manhattan Plaza
New York, New York 10005

Re: Nanya Technology Corp. et al. v. Fujitsu Ltd. et al., No. 06-25 (D. Guam Sept. 13, 2006) and Fujitsu Ltd. et al. v. Nanya Technology Corp. et al., No. 06-06613 (N. D. Cal. Oct. 24, 2006).

Dear Mr. Chalsen:

With the upcoming case management conferences on January 30, 2007 in Guam and February 2, 2007 in California, the parties need to address the procedures governing the parties' exchange of documents for discovery. I have attached a proposed protective order that the parties could use for both the Guam and California actions. Please review it. I would appreciate your comments by Monday, January 15, 2007.

Further, in Defendant Fujitsu Limited's Objections to the Magistrate's Order Granting Motion for Alternative Service of Process on Fujitsu Limited, filed on November 20, 2006, Fujitsu Limited relied on the declarations of Shigeshi Tanaka, Shigeru Kitano, Yuichi Sakoda, Takao Miura, Katsuya Irie, Michael Murray, and yourself to support Fujitsu Limited's arguments regarding service of process and jurisdiction. So these factual allegations may be properly addressed, please provide deposition dates in the month of January and February for these declarants. These depositions can be conducted at the Tamuning offices of Calvo & Clark. Again, I would appreciate your response by Monday, January 15, 2007.

Sincerely,



Alfonso G. Chan

SHORECHAN
BRAGALONE_{LLP}

Christopher E. Chaisen, Esq.
Milbank Tweed Hadley & McCloy LLP
January 8, 2007
Page 2

Enclosure

cc: Judge John Unpingco
Joseph Razzano
Daniel M. Benjamin
All With Enclosure

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January 17, 2007

VIA EMAIL-PDF FORMAT

Christopher E. Chalsen, Esq.
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New York, New York 10005

Re: Nanya Technology Corp. et al. v. Fujitsu Ltd. et al., No. 06-25 (D. Guam Sept. 13, 2006) and Fujitsu Ltd. et al. v. Nanya Technology Corp. et al., No. 06-06613 (N. D. Cal. Oct. 24, 2006).

Dear Mr. Chalsen:

On January 8, 2007, Alfonso Chan sent you a letter requesting your comments regarding a proposed protective order to govern the procedures for the parties' pending exchange of documents for discovery. To date, you have not responded to Mr. Chan's letter. Please let us know your comments, if any, to the proposed protective order by 12:00 noon (C.S.T.), Friday, January 19. If we do not hear from you by then, we will assume you oppose working with us to draft a proposed protective order and will accordingly raise this issue with the Court.

Additionally, Mr. Chan requested available dates in Guam for depositions for the individuals whose declarations Fujitsu Limited relied upon in its Objections to the Magistrate's Order Granting Motion for Alternative Service of Process. As Mr. Chan explained in the January 8th letter, so that the factual allegations in the declarations in Fujitsu Limited's Objections may be properly addressed, Nanya Technology Corp. and Nanya Technology Corp. U.S.A. are entitled to question these declarants. As Mr. Chan assured you, these depositions can be conducted in Guam at Fujitsu Limited's local counsel's offices to accommodate any concerns. Please also let us know available dates by 12:00 noon (C.S.T.), Friday, January 19. Otherwise, we will be forced to seek the Court's intervention.

Sincerely,



Martin Pascual



Christopher E. Chaisen, Esq.
Milbank Tweed Hadley & McCloy LLP
January 17, 2007
Page 2

cc: Judge John Unpingco
Joseph Razzano
Daniel M. Benjamin

EXHIBIT C

Milbank Tweed

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January 19, 2007

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Re: Fujitsu v. Nanya, Civil Case No. CV06-00025

Dear Martin:

This is in response to your letter to Chris Chalsen dated January 17, 2007.

Concerning the proposed protective order, we are reviewing it and should be able to get back to you next week with any proposed changes.

You have asked for deposition dates for seven individuals who submitted declarations in connection with Fujitsu Limited's objections to the magistrate's Order concerning service. As you know, the briefing on this issue was completed some time ago, well before Mr. Shore's letter seeking the depositions. Further, the hearing will occur in less than a week and the entire issue may thus be rendered moot. Accordingly, it makes more sense to discuss this issue again after the hearing.

We further note that, absent agreement to the contrary, individuals should be deposed within a reasonable distance of where they work or live. The fact that an individual submits a declaration in Guam does not mean that the individual consents to travel to Guam for the purpose of a deposition. Accordingly, for any Japanese witness, you will need to arrange a room at the American embassy to conduct the deposition.

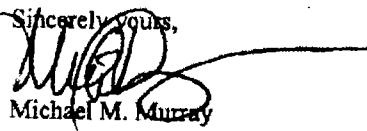
Finally, you should be aware that any depositions you choose to take on the service issue will count fully toward the total number of depositions Nanya is allowed under the Federal Rules. Furthermore, to prevent undue inconvenience to individual witnesses, we will

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Mr. Martin Pascual
Page 2
January 19, 2007

object to any attempt to recall a witness after their deposition. Thus, if you proceed with these depositions, we fully expect that there will be no further depositions of these same witnesses.

Sincerely yours,

Michael M. Murray

MMM:smm

cc: Christopher E. Chalsen, Esq.

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FACSIMILE TRANSMISSION

DATE: January 19, 2007

TO:

NAME	FAX NO.	PHONE NO.
Martin Pascual, Esq. Shore Chan Bragalone LLP	214-593-91111	

FROM: Michael M. Murray PHONE: 212-530-5424

RE: Fujitsu v. Nanya

FILE NUMBER:	35068.02100		
NUMBER OF PAGES, INCLUDING COVER:	2	ORIGINALS FOLLOW BY MAIL:	no

MESSAGE:

Please see attached.

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Re: Fujitsu v. Nanya, Civil Case No. CV06-00025

Dear Alfonso:

This is in response to your letter of January 25, 2007 addressing the alleged deficiencies in FMA's responses to Plaintiffs' document requests.

We initially note that this is the first request for a conference concerning FMA's responses to the document requests. The telephone conference on January 12, 2007 occurred, as you know, before you received FMA's responses and thus certainly did not address the merits of those responses. During the call, we did tell you several times that written responses would be served on time, and they were. We further did not discuss FMA's responses "in person" in Guam last week. The conference between counsel in Guam last week addressed scheduling issues and not the merits of FMA's responses to the document requests.

You state that you would like a conference to "determine whether it will be necessary to seek judicial resolution of our differences". However, you have already sought judicial resolution, *i.e.*, by filing a motion to compel. We suggest that, in the future, you attempt to meet and confer on the substance of any response to a discovery demand after you have had an opportunity to review the response and before you involve the court.

As for the document requests themselves, we believe they are overbroad, burdensome and constitute an inappropriate fishing expedition. Nevertheless, we are willing to discuss a reasonable compromise.

Alfonso Chan, Esq.
January 29, 2007
Page 2

Concerning the protective order, we are reviewing your draft and will provide comments shortly.

Sincerely yours,

Michael M Murray Jr
Michael M. Murray

MMM:smm

cc: Christopher E. Chalsen, Esq.

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